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TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 8—4–H CLUB NAME AND EMBLEM

REGULATIONS GOVERNING USE

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AUTHORITY: §§ 8.1 to 8.10 issued under 62 Stat. 733, 18 U. S. C. 707.

§ 8.1 *Policy.* The Cooperative Extension Service, of which the 4–H Club work is a part, invites and appreciates the cooperation of all organizations, agencies, and individuals whose interest, products or services will contribute to the educational effort of the Cooperative Extension Service as conducted through 4–H Club work.

§ 8.2 *Delegation of authority.* The Administrator, Federal Extension Service, United States Department of Agriculture, may authorize the use of the 4–H Club name and emblem in accordance with the regulations in this part.

§ 8.3 *Definitions.* (a) The term "4–H Club name and emblem" as used in this part means the emblem consisting of a green four-leaf clover with stem and the letter "H" in white or gold on each leaflet, or any insignia in colorable imitation thereof or the words "4–H Club" or "4–H Clubs" or any combination of these or other words or characters in colorable imitation thereof.

(b) The term "Administrator" means the Administrator, Federal Extension Service, United States Department of Agriculture.

§ 8.4 *Basic premises.* (a) The 4–H Club name and emblem are held in trust by the Secretary of Agriculture of the U. S. Department of Agriculture for the educational and character building purposes of the 4–H Club program and can be used only as authorized by the statute and in accordance with the authorization of the Secretary or his designated representative.

(b) The 4–H Club name and emblem may be used by authorized representatives of the U. S. Department of Agriculture, the land-grant colleges, and the Cooperative Extension Service, in accordance with the regulations in this part, for serving the educational needs and interests of boys and girls enrolled in 4–H Clubs.

(c) Any use of the 4–H Club name and emblem is forbidden if it exploits the 4–H Club program, its volunteer leaders or members, or the U. S. Department of Agriculture, land-grant colleges, Cooperative Extension Service, or their employees.

§ 8.5 *Revocation of present authorizations.* Effective July 1, 1955, except as provided in § 8.9, all authorization permits, except as provided in § 8.6, for the use of the 4–H Club name and emblem presently in effect will be revoked.

§ 8.6 *Authorization for use.* (a) The Administrator may grant authorization for the use of the 4–H Club name and emblem.

(1) For educational or informational uses which the Cooperative Extension Service deems to be in the best interests of 4–H Club work and which can be properly controlled by the Cooperative Extension Service.

(2) For a service to youth which the Cooperative Extension Service determines it is not in a position itself to perform.

(b) Authorizations, when issued, will be valid for specified purposes and periods of time only. Application forms for requesting authorization to use the 4–H Club name and emblem may be obtained from the Administrator, Federal Extension Service, United States Department of Agriculture, Washington 25, D. C.

(c) Granting an authorization to an individual, organization or institution for a specific use does not preclude granting a similar authorization to another individual, organization or institution for the same or a similar purpose.

(d) All uses of the 4–H Club name or emblem shall be consistent with the educational purposes, character building objectives and dignity of the 4–H Club

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final, actions, are identified as such.

CODIFICATION GUIDE—Con.

program and the emblem shall be given a position of prominence. It is not proper to superimpose any letter, design, or object on the 4–H Club emblem, or to materially alter its intended shape.

(e) Specific authorization is not required to use the 4–H Club name or emblem for news media such as newspapers, periodicals, and radio and television programs when such use is primarily for an educational or informational purpose. Likewise specific authorization is not required to use the name or emblem in those exhibits, displays, etc., which are designed primarily to pay tribute to or salute the 4–H Club program and are in keeping with the policy enunciated herein.

(f) Authorization must be obtained for the use of the 4–H Club name and emblem by other than representatives of the Cooperative Extension Service in connection with contests and awards; supplies to be sold; books, booklets, charts, posters and similar printed materials; all calendars regardless of origin or use; theatrical and non-theatrical motion pictures; slide films and other visual materials; supplies (whether to be sold or provided without charge) titles of persons and advertisements.

(g) Any authorization or permission for the use of the 4–H Club name and emblem may be revoked at any time after notice.

§ 8.7 *Continued use.* (a) The land-grant colleges, the State and county Extension Services, and the local 4–H Clubs recognized by the Secretary of Agriculture and the Cooperative Extension Service, are authorized to use the 4–H Club name and emblem for their own educational or informational purposes in accordance with this part, on materials which are originated, requested, purchased, or distributed by them. The land-grant colleges, county Extension Services and local 4–H Clubs may only authorize, create and purchase 4–H materials for their own use. They are not permitted to authorize manufacturers, wholesalers, retailers, purchasers, or others to manufacture, or sell or distribute materials bearing the 4–H Club name and emblem for other uses or for resale:

(1) Distribution of materials requested by a local 4–H Club or county Extension Service is limited to the boundaries of the county within which the request originated.

(2) Distribution of materials requested by a State Extension Service is limited to the boundaries of the State within which the request originated.

(3) Any request for distribution of 4–H materials on an interstate basis shall be brought to the attention of the Administrator.

(b) The National Committee on Boys and Girls Club Work, Inc., and the National 4–H Club Foundation of America, Inc., are granted authority to use the 4–H Club name and emblem in accordance with this part:

(1) The National Committee on Boys and Girls Club Work, Inc., shall be, to the maximum degree possible, the source of supplies for the 4–H Club work except where they are not in the best position to provide a particular item.

§ 8.8 *Use by public informational services.* (a) In any advertisement, display exhibit, film, news release, publication, radio and television program devoted in whole or in part to the 4–H Clubs, the 4–H message or salute must be distinctly set apart from any commercial message or reference.

(b) Advertisements, public releases or displays in any form must not include actual or implied testimonials or endorsements of business firms, their products or services, either by 4–H Clubs, 4–H members, volunteer 4–H leaders, the Cooperative Extension Service or its employees. Statements that a product is used or preferred to the exclusion of similar products are not permitted.

(c) The granting of an authorization for the production of films, visual materials, books, publications, etc., using the 4–H Club name and emblem is contingent upon approval of the script of the film or draft of the publication when the draft is in its final working form. Preliminary plans and drafts may be submitted as work progresses in order to expedite final action.

§ 8.9 *Use on calendars.* (a) The revocation of present authorizations provided in § 8.4 does not apply to authorizations for calendars now in production for hang-up before or in the year 1957.

(b) No State or county Extension Service or local 4–H Club is authorized to produce a 4–H Club calendar or authorize others to produce or sell a 4–H Club calendar.

(c) Calendars will be approved only on the basis of very high standards of quality and acceptable distribution plans:

(1) All organizations wishing to manufacture and merchandise calendars bearing the 4–H Club name and emblem shall submit to the Administrator the following specific materials and any supplementary information or materials which will help to provide complete information regarding the calendar, its promotion and sales plan:

(i) Application for authorization to use the 4–H Club name and emblem.

(ii) Samples (actual or dummy) of the various types of calendars on which the manufacturer wishes to use the 4–H Club name and emblem, including complete specifications as to size, art work, copy color, paper stock, etc.

(iii) A statement on promotion, sales and distribution plans for the calendar bearing the 4–H Club name and emblem, including prices in various quantities, number of salesmen employed, or to be employed, extent of sales, territory to be covered, means of distribution to users, etc.

(iv) Copies of any and all sales or promotion literature which makes reference to 4–H Club work or calendars bearing the 4–H Club name and emblem.

(d) Notification of the grant of an authorization for the use of the 4–H Club name and emblem for a specific year will be received by the calendar manufacturer from the Administrator.

(e) During each year that the authorization is in effect, art work, copy and related plans for each complete calendar and any pertinent changes from the original approved sales and distribution plan, must be submitted for approval to the Administrator, Federal Extension Service, U. S. Department of Agriculture, Washington 25, D. C.

(f) The main illustration shall be used only on the calendar series for which authorization is granted and shall not be used on other calendars. The main illustration and other illustrations used shall be in keeping with the ideals, spirit and objectives of the 4–H Club Program. Natural color oil paintings or photo reproductions of real life situations depicting the educational work of 4–H Clubs shall be used.

(g) All calendar copy must contain a line near the advertiser's name indicating that the distribution of the calendar is designed to further the educational program of 4–H Club work.

(h) Copy, art work, subject matter, and information appearing in or on the calendar shall not in any way imply endorsement of the firm or individual sponsoring the calendar, nor of its products, services, or calendar copy by the United States Department of Agriculture, land-grant colleges, or Extension Service, including the 4–H Clubs, or its representatives.

(i) Space devoted to advertising shall not exceed 10 percent of the total calendar space. The name of only one sponsor or advertiser shall appear on a calendar.

(j) It is preferred that calendars be sold or distributed by purveyors of common necessities such as credit (banks) farm machinery seeds, fertilizers, groceries, lumber, etc., or through farm organizations, insurance companies, etc.

(k) Calendars bearing the 4–H Club name and emblem shall not be sold to or distributed through any business whose sponsorship or use thereof might reflect unfavorably on the Extension Service or on 4–H Club work. Sales are strictly prohibited to any firm or individual engaging primarily in the manufacture, sale or distribution of liquor and to any establishment engaged primarily in the manufacture, distribution and sale of tobacco products.

(l) Appropriate staff members of the Extension Service shall have the privilege of passing at any time upon the general classification and character of firms to whom calendars are sold. Calendar manufacturers shall refrain from selling and distributing calendars in any State where approval for sales and dis-

tribution is not first given by the State Extension Director.

(m) Sales representatives shall contact the State Extension Director or his representative before conducting sales in that State, and shall contact the county Extension office before selling or distributing within a county. State or county staff members will advise with authorized company representatives relative to acceptable sales and distribution policies and plans in the State or county concerned.

(n) To the extent practicable, the State Extension Director shall receive an annual list of sponsors of calendars in his State, including the number purchased by each and the distribution by counties.

(o) Calendar manufacturers shall fully inform their promotional, educational and sales representatives regarding the organization, structure, objective and policies of the Cooperative Extension Service of which the 4–H Club program is a part, as they relate to carrying out the provisions of these regulations. Special care must be exercised to avoid statements or implications which would embarrass the Cooperative Extension Service. No claims may be made of an exclusive franchise or agency for 4–H calendars.

§ 8.10 *Mailing lists and sales promotion by employees.* The Extension Service or its employees shall not make available mailing lists of 4–H Club leaders, members, or other cooperators. Extension Service employees may not engage in or promote the sale of calendars.

It is to the benefit of the public that these regulations be made effective at the earliest practicable date. Accordingly pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238) it is found upon good cause that notice and public procedure on these regulations are impracticable, unnecessary and contrary to the public interest, and good cause is found for making these regulations effective less than thirty days after publication.

The foregoing regulations shall be effective February 19, 1955.

Done at Washington, D. C., this 15th day of February 1955.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F R. Doc. 55–1457; Filed, Feb. 18, 1955; 8:49 a. m.]

Chapter IV—Federal Crop Insurance Corporation

[Amdt. 2]

PART 423—SOYBEAN CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1955 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (19 F R. 7473, 9365) are hereby amended for all counties in Ohio, effective beginning with the 1955 crop year, as follows:

Item (c) of section 1 of the policy shown in § 423.6 is amended to read as follows: "(c) planted for hay,"

(Secs. 506, 516, 52 Stat. 73–77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended, 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on February 10, 1955.

[SEAL] C. S. LAIDLAW,
Secretary,
Federal Crop Insurance Corporation.

Approved. February 15, 1955.

J. H. MCCONNELL,
Assistant Secretary.

[F R. Doc. 55–1456; Filed, Feb. 18, 1955; 8:49 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 48]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.348 *Navel Orange Regulation 48*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914, 19 F R. 2941) regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on February 17, 1955, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P s. t., February 20, 1955, and ending at 12:01 a. m., P s. t., February 27, 1955, is hereby fixed as follows:

(i) District 1. 161,700 boxes;

(ii) District 2: 300,300 boxes;

(iii) District 3: Unlimited movement;

(iv) District 4. Unlimited movement.

(2) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "boxes," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 18, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55–1584; Filed, Feb. 18, 1955; 11:22 a. m.]

[Tangerine Reg. 158]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.724 *Tangerine Regulation 158*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 21, 1955. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 21, 1955; the recommendation and supporting information for continued regulation subsequent to February 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., February 21, 1955, and ending at 12:01 a. m., e. s. t., March 7, 1955, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which grade U. S. No. 2, that are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches, capacity 1,726 cubic inches) or

(iii) Any tangerines, grown in the State of Florida, which grade U. S. No. 1 Russet, U. S. No. 1 Bronze, U. S. No. 1 or U. S. Fancy that are of a size smaller than the size that will pack 246 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches, capacity 1,726 cubic inches)

(2) As used in the section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2," "U. S. No. 1 Russet," "U. S. No. 1 Bronze," "U. S. No. 1," "U. S. Fancy," and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 16, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55-1485; Filed, Feb. 18, 1955; 8:55 a. m.]

[Orange Reg. 273]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.725 *Orange Regulation 273*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 21, 1955. Shipments of all oranges, including Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 21, 1955, the recommendation and supporting information for continued regulation subsequent to February 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 15, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., February 21, 1955, and ending at 12:01 a. m., e. s. t., March 7, 1955, no handler shall ship:

(i) Any oranges, including Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size larger than a size that will pack 150 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 16, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55-1484; Filed, Feb. 18, 1955; 8:55 a. m.]

[Grapefruit Reg. 218]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.726 *Grapefruit Regulation 218*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural

Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 21, 1955. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 21, 1955, the recommendation and supporting information for continued regulation subsequent to February 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 15 such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., February 21, 1955, and ending at 12:01 a. m., e. s. t., March 7, 1955, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(iv) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any white seedless grapefruit, grown in "Regulation Area 1," that grade U. S. No. 2 Bright, U. S. No. 2 or U. S. No. 2 Russet, which are of a size larger than a size that will pack 64 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "ship," "Growers Administrative Committee" and "Regulation Area I," shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750–51.790 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 16, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55–1483; Filed, Feb. 18, 1955; 8:54 a. m.]

[Lemon Reg. 577]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.684 *Lemon Regulation 577*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F R. 7175) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 16, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 20, 1955, and ending at 12:01 a. m., P. s. t., February 27, 1955, is hereby fixed as follows:

(i) District 1. 15 carloads;

(ii) District 2: 210 carloads;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated. February 17, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55–1552; Filed, Feb. 18, 1955; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

[Administration Letter 376 (448)]

PART 384—SPECIAL LIVESTOCK LOANS

ELIGIBILITY REQUIREMENTS FOR FEEDERS OF LIVESTOCK

Part 384, Title 6, Code of Federal Regulations (18 F R. 4944, 19 F R. 4105) is amended to add § 384.2a, prescribing certain limitations with respect to the making of loans to feeders of livestock. The new § 384.2a reads as follows:

§ 384.2a *Eligibility requirements for feeders of livestock.* The primary purpose of the special livestock loan program is to assist established livestock operators to maintain their productive livestock herds. Special livestock loans will be restricted to livestock producers, including those who may run a limited number of purchased feeders each year. Loans will not be made to finance strictly feeding operations. However, loans may be made to finance feeding operations, other than commercial feed lot operations, in those cases in which otherwise eligible applicants are able to provide with their own resources the land necessary for providing adequate grazing and who produce substantially all of the feed required to carry the feeders to the finishing stage. In addition, because of the speculative nature of feeding operations, the planned operations must show an estimated net income which would make them sound for the borrower and safe for the Government. In such cases, the special livestock loan would provide only the funds required to purchase feeders and for operating expenses other than to pay rent or to make substantial feed purchases to carry the feeders to the finishing stage. Such loans may include funds for the finishing process of feeding out cattle in lots only in connection with feeders carried by the applicant during the preceding grazing season and then only when it has been the applicant's practice to finish out his feeders for the market.

(R. S. 161; 5 U. S. C. 22. Interprets or applies sec. 2 (c), 67 Stat. 149; 12 U. S. C. 1148a-2(c))

Dated this 15th day of February 1955.

[SEAL] R. B. MCLEAISH,
Administrator

[F R. Doc. 55-1455; Filed, Feb. 18, 1955; 8:48 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 46]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B—VESICULAR EXANTHEMA

CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111-113, 120), and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117) § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulations (19 F R. 8772, 20 F R. 176, 437, 799) which contains a notice with respect to the States in which swine are affected with vesicular exanthema, a contagious, infectious, and communicable disease, and which quarantines certain areas in such States because of said disease, is hereby further amended in the following respects:

1. Subparagraphs (2) and (18) of paragraph (a) relating to California, are deleted.

2. Subparagraphs (1) (7) (8) (12) (17) (19) and (21) of paragraph (a) relating to California, are amended to read:

(1) NE. ¼ Sec. 1, T. 3 S., R. 2 W., MDBM; Sec. 22, T. 5 S., R. 1 W., MDBM; NE. ¼ Sec. 25, T. 3 S., R. 3 W., MDBM; E. ½ Sec. 13, T. 3 S., R. 3 W., MDBM; and NE. ¼ Sec. 20, T. 3 S., R. 2 E., MDBM, in Alameda County.

* * * * *

(7) NE. ¼ Sec. 22, T. 8 N., R. 11 W., SBBM; SE. ¼ Sec. 28, SW. ¼ Sec. 27, NE. ¼ Sec. 23, and NW. ¼ Sec. 34, T. 5 N., R. 15 W., SBBM; and that part of the City of Dominguez included within a boundary beginning ½ mile south of the intersection of Alameda and Artesia Streets, thence west ¼ mile, thence south ¼ mile, thence east ¼ mile, and thence north to point of beginning, in Los Angeles County.

(8) That part of Sec. 27, T. 1 N., R. 7 W., MDBM, lying west of Panoramic Highway; and Secs. 11, 12, 13, and 14, T. 1 N., R. 6 W., MDBM, in Marin County.

* * * * *

(12) Secs. 3 and 10, T. 7 S., R. 23 E., SBBM, in Riverside County.

* * * * *

(17) SW ¼ Sec. 7, T. 3 S., R. 5 W., MDBM; SW. ¼ Sec. 12, T. 3 S., R. 6 W., MDBM; SW. ¼ Sec. 11, T. 3 S., R. 6 N., MDBM; NE. ¼ Sec. 26, T. 3 S., R. 6 W., MDBM; and NW. ¼ Sec. 28, T. 4 S., R. 6 W., MDBM, in San Mateo County.

* * * * *

(19) NE. ¼ Sec. 22, T. 6 S., R. 1 W., MDBM; NW ¼ Sec. 15, T. 6 S., R. 2 W., MDBM; and SE. ¼ of T. 5 S., R. 1 W., MDBM, in Santa Clara County.

* * * * *

(21) That part of Rancho Aqua Calente Grant lying south and east of Arnold Drive, west of State Highway No. 12, and north of Madrone Road; and that part of Rancho Petaluma Grant lying south and east of State Highway No. 37, west of Maffei Lane, and north of Wayne Road, in Sonoma County.

3. Subparagraphs (2) (5) and (11) of paragraph (d) relating to New Jersey, are amended to read:

(2) All of Middlesex County except the following:

(i) That part of the City of New Brunswick lying east of U. S. Route No. 130, south of State Route No. 18, west of U. S. Route No. 1, and north of the North Brunswick Township line;

(ii) That part of North Brunswick Township lying south of the New Brunswick City line, northeast of the Raritan River Railroad, and northwest of U. S. Route No. 1; and

(iii) That part of Parsippany Township lying east of the Raritan River, north of Landing Road, and west of State Route No. 18.

* * * * *

(5) All of Burlington County except the following:

(i) Delran, Washington, Shamong, Tabernacle, Chesterfield, Medford, and Bass River Townships;

(ii) That part of North Hanover Township lying south of Old Monmouth Road; and

(iii) That part of South Hampton Township lying south and west of the Retreat-Burrs Mill Road, north of State Route No. 70, and east of the Big Hill Road.

* * * * *

(11) All of Camden County except the following:

(i) That part of Gloucester Township lying south of Evesham Avenue, east of Texas Run, and north of Somerdale Creek; and

(ii) That part of Berlin Boro lying east of County Route No. 561, south of U. S. Route No. 30, and west of Taunton Road.

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment includes the following areas in California within the areas quarantined because of vesicular exanthema.

NW. ¼ Sec. 28, T. 4 S., R. 6 W., MDBM, in San Mateo County; and that part of Rancho Petaluma Grant lying south and east of State Highway No. 37, west of Maffei Lane, and north of Wayne Road, in Sonoma County, in California.

Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1953 Supp., Part 76, Subpart B, as amended, will apply to such areas.

The amendment also excludes certain areas in California and New Jersey from the areas heretofore quarantined because of vesicular exanthema. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1953 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Subpart B, as amended, will apply thereto.

The amendment imposes certain further restrictions necessary to prevent the spread of vesicular exanthema, and relieves certain restrictions presently imposed. It must be made effective immediately to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111. Interprets or applies secs. 4, 5, 23 Stat. 32, sec. 1, 32 Stat. 791; 21 U. S. C. 120)

Done at Washington, D. C., this 16th day of February 1955.

[SEAL] M. R. CLARKSON,
Acting Administrator
Agricultural Research Service.

[F R. Doc. 55-1486; Filed, Feb. 18, 1955; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1071]

ALASKA

WITHDRAWING LANDS FOR USE OF ALASKA ROAD COMMISSION AS DOCK AND WHARF SITE; PARTIALLY REVOKING PUBLIC LAND ORDER NO. 486 OF JUNE 15, 1948

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use of the Alaska Road Commission as a dock and wharf site:

SEWARD MERIDIAN

T. 7 S., R. 13 W.,
Sec. 1, Lot 22.

The area described contains 0.92 acre.

Public Land Order No. 486 of June 15, 1948 withdrawing lands in aid of contemplated legislation is hereby revoked so far as it affects the above-described land.

ORME LEWIS,
Assistant Secretary of the Interior

FEBRUARY 15, 1955.

[F. R. Doc. 55-1487; Filed, Feb. 18, 1955; 8:55 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53733]

PART 25—CUSTOMS BONDS

ACTION ON APPLICATIONS OF BONDED CARRIERS IN CERTAIN CASES

In order that collectors of customs may act in certain cases upon applications of bonded carriers for relief from liquidated damages assessed under § 18.8 (b) of the customs regulations, § 25.17 is hereby amended as follows:

1. Paragraph (g) is redesignated paragraph (h)

2. New paragraph (g) is added, reading as follows:

(g) Where liquidated damages have been assessed under § 18.8 (b) of this chapter against a carrier for releasing, without the required customs supervision, bonded merchandise destined for exportation, and the carrier submits documentary evidence satisfactory to the collector, such as a foreign landing certificate, that the merchandise was actually exported, and if the evidence also shows that the failure to export the merchandise under customs supervision was not for the purpose of evading the requirements of any law or regulation, the collector may cancel such liquidated damages upon the payment of an amount equal to 10 percent thereof or $25, whichever is lower, or, if such amount is under $10, the collector may close the case without the payment of any amount if in his opinion the facts so warrant.

(Secs. 623, 624, 46 Stat. 759, as amended; 19 U. S. C. 1623, 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: February 14, 1955.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F R. Doc. 55-1468; Filed, Feb. 18, 1955; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

ENTITLEMENT TO EDUCATION OR TRAINING BENEFITS BASED UPON ACTIVE SERVICE OCCURRING IN ARMED FORCES AFTER JANUARY 31, 1955

A new § 21.2901 is added as follows:

§ 21.2901 *Entitlement to education or training benefits under the provisions of Title II, Public Law 550, 82d Congress, as amended, based upon active service occurring in the Armed Forces after the date January 31, 1955.* (a) The effect of Public Law 7, 84th Congress is two-fold:

(1) The amendment to Public Law 550, 82d Congress, permits a person on active duty in the Armed Forces on January 31, 1955, to accrue entitlement to education or training benefits until the date of his first discharge or release from such service occurring after January 31, 1955, provided the duration of such service is for 90 days or more and the discharge therefrom occurs under conditions other than dishonorable. Entitlement will accrue at the rate specified in, and subject to the limitations carried in the applicable provisions of Public Law 550, 82d Congress.

(2) The amendment also extends the terminal date for education or training benefits for persons who were in the active service in the Armed Forces on January 31, 1955, to a date 8 years following such person's first discharge or release from such active service after January 31, 1955, or the date of January 31, 1965, whichever is earlier.

(b) It will be noted that the amendment in no way alters the provisions for education or training benefits for those veterans who completed their service prior to January 31, 1955 and who did not subsequently re-enter active service in the Armed Forces. Neither does this amendment confer any entitlement to education or training benefits under Public Law 550, supra, as to persons who enter or have entered active service in the Armed Forces after January 31, 1955. (Instruction 1, Public Law 7, 84th Congress.)

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interpret or apply secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500–1504, 1506, 1507, 58 Stat. 286, 300, as amended, sec. 261, 66 Stat. 663; 38 U. S. C. 693g, 697–697d, 697f, g, 971, ch. 12 note)

This regulation is effective February 15, 1955.

[SEAL] J. C. PALMER,
Assistant Deputy Administrator

[F R. Doc. 55-1481; Filed, Feb. 18, 1955; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 103]

PART 608—RESTRICTED AREAS

OSWEGO, N. Y., ALTERATION

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

In § 608.40, Oswego, New York, area (R-70 formerly D-70) published on March 17, 1950, in 15 F R. 1510 and amended on September 26, 1950, in 15 F R. 6472 and on February 4, 1955, in 20 F R. 758 is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
SWEGO (R-70) (Albany).	Beginning at latitude 43°37'00" longitude 78°00'00"; thence to latitude 43°24'00" longitude 78° 00'00"; thence to latitude 43°24' 00", longitude 76°45'00"; thence to latitude 43°30'00" longitude 76°25'00"; thence to latitude 43° 34'00" longitude 76°23'00"; thence to latitude 43°45'00", longitude 76° 23'00"; thence to latitude 43°45'00" longitude 76°30'00"; thence to latitude 43°37'00" longitude 76°45'00"; thence to latitude 43°37'00" longitude 78°00' 00"; the point of beginning.	Surface to unlimited.	Daylight hours, 7 days a week (weather conditions to be better than VFR as operations will not be conducted through or above an overcast).	First AF Mitchell AFB, N. Y. (jointly used by AF, Army and Navy).

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on February 25, 1955.

[SEAL] F B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-1441; Filed, Feb. 18, 1955; 8:45 a. m.]

[Amdt 130]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety Compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows:

NOTE: Where the general classification (LFR VAR ADF ILS GCA or VOR) location and procedure number (if any) of any procedure in the amendments which follow are identical with an existing procedure that procedure is to be substituted for the existing one as of the effective date given to the extent that it differs from the existing procedure; where a procedure is canceled the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Acronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and dis tance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting dis tances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at author ized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft: 75 m. p h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
KENAI ALASKA Kenai Airport, 93'. BMRLZ VPDT ENA Procedure No 1 Amendment M5. Effective date: March 26, 1955 Supersedes Amendment No M4 dated April 26 1954 Major changes: New format				N side of NE course: 004° outbound 184 inbound 1 400' within 10 miles;	800	84—1. !	2 engines or less T-dn C-dn S-dn 18 A-dn	 300-1 500-1 500-1 800-2	 300-1 500-1½ 500-1½ 800-2	Within 1.1 miles, climb to 1 400' on SW course (184°) within 25 miles. NOTE: This procedure not authorized for ADF approach
							More than 2 engines T-dn C-dn S-dn 18 A-dn	 	 200-½ 500-1½ 500-1½ 800-2	
SAN ANTONIO TEX. Kelly Air Force Base 676 SKF LFR. Procedure No 1. September 15, 1950 Major changes: Superseded by special procedure (not pub lished)	PROCEDURE CANCELED MAROH 1 1955 (THIS CANCELLATION DOES NOT AFFECT THE MILITARY PROCEDURES IN THE PILOT S HANDBOOK)									
SPOKANE, WASH Geiger Field, 2 372'. SBRAZ-DTV GEG Procedure No 1. Effective: March 26 1955 Amendment No 11. Supersedes Amendment No 10 dated June 25 1954 Major changes: New format Eliminate approach involv ing CGE LFR; minor course corrections: omit un necessary caution notes	Rockford FM	254—15 0	4, 700	E side S course: 180° outbound 360 inbound. 4 700' within 10 miles	4, 200	293—4. 9	2 engines or less T-dn C-dn A-dn	 300-1 900-1 1 000-2	 300-1 900-1 1 000-2	Within 4.9 miles execute climbing right turn, climb to 4,500' on N course, all turns on W side within 25 miles of GEG-LFR Alternate missed approach—When di rected by ATC, execute climbing left turn climb to 4,000' on W course, all turns on S side within 25 miles of GEG-LFR. CAUTION: Fairchild Air Force Base 3½ miles W; radio tower 3 188' 6½ miles E of airport
	Pine City FM or Pine City "H" (final)	360—24. 0	4, 200							
	GEG VOR	066—8 0	4, 700							
	GEG LOM	068—8 0	4, 7 0							
	RODNA Intersection	023—21 0	4, 200							
							More than 2 engines T-dn C-dn A-dn	 	 200-½ 900-1½ 1 000-2	

2 The very high frequency omnirange procedures prescribed in § 609 9 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No ; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft: 75 m. p h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
SPOKANE, WASH. Geiger Field, 2 372' BVOR-GEG Procedure No. 1 Amendment No 4. *Effective:* March 26, 1955. Supersedes Amendment No 3 dated October 16, 1953 Major changes: New format Correct inbound course Intersection of 206° course from GEG VOR and 279° course from Pine City "H" to GEG VOR (final) add Rodna Intersection to GEG VOR; minor course and distance corrections	Rockford FM	252—23 0	4, 700	S side of course: 206° outbound 026 inbound 4 000' within 15 miles o GEG VOR. Not authorized beyond 15 miles	3 700	026—5 1	2 engines or less			Within 5 1 miles, execute climbing left turn to intercept and climb to 4,500' on the 360° outbound course from GEG VOR within 25 miles—all turns on W side Alternate missed approach—when directed by ATC, execute climbing left turn to intercept and climb to 4,500' on the 300° outbound course from GEG VOR within 25 miles, all turns on W side; or execute climbing left turn, climb to 4 000', proceed direct to the GEG VOR and hold on the E side of the 206° outbound-026° inbound course at 4 000' within 15 miles of GEG VOR
	GEG LFR	247— 8 0	4 000				T-dn	300-1	300-1	
	GEG LOM	225— 0 6	4, 000				C-d	500-1	500-1	
	Pine City FM/H	339—22 0	4 100				C-n	600-1	600-1	
	Harrington FM to Intersection 206° course from GEG VOR and 279° course from Pine City 'H'	099—18 0	4, 000				S-dn	400-1	400-1	
	Pine City H to Intersection 206° course from GEG VOR and 323° course from Pine City 'H"	323—20 0	4, 100				Runway 2 A-dn	800-2	800-2	
	Intersection of 206 course from GEG VOR and 279° course from Pine City "H" to GEG VOR (final)	026—20 0	4, 000				More than 2 engines			
	Rodna Intersection to GEG VOR	004—19 0	4, 000				T-dn		200-½	
							C-d		500-1½	
							C-n		600-1½	
							S-dn		400-1	
							Runway 2 A-dn		800-2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 551)

[SEAL]

F B LEE
Administrator of Civil Aeronautics

[F R Doc 55-1489; Filed Feb 18 1955; 8:51 a m]

PROPOSED RULE MAKING

POST OFFICE DEPARTMENT

[39 CFR Part 58]

CERTIFIED MAIL

NOTICE OF PROPOSED RULE MAKING

The Post Office Department proposes to place in effect the following amendment to Chapter I of Title 39, Code of Federal Regulations, which will incorporate in a new Part 58 thereof, regulations relating to certified mail.

The Postmaster General desires to afford patrons of the Postal Service an opportunity to present written data, views, or arguments for consideration by the Post Office Department prior to making the proposed regulations effective.

Written data, views, or arguments may be submitted to N. R. Abrams, Assistant Postmaster General, Bureau of Post Office Operations, Post Office Department, Washington 25, D. C., prior to March 21, 1955.

[SEAL] ABE MCGREGOR GOFF
The Solicitor

Chapter I of Title 39, Code of Federal Regulations, as amended (19 F R. 7765) is further amended by the addition of a new Part 58, to read as follows:

Sec.
58.1 Description.
58.2 Class of mail to which applicable.
58.3 Fees.
58.4 Mailing.
58.5 Delivery.
58.6 Inquiry.

AUTHORITY: §§ 58.1 to 58.6 issued under R. S. 161, 388, 396, secs. 304, 309, 42 Stat. 24, 25, sec. 12, 65 Stat. 676; 5 U. S. C. 22, 361, 369, 39 U. S. C. 246f.

§ 58.1 *Description.* Certified mail service provides for a receipt to the sender and a record of delivery at the office of address. No record is kept at the office at which mailed. It is handled in the ordinary mails and no insurance coverage is provided. The mail will be endorsed in the following manner:

CERTIFIED
MAIL
No. 286539

§ 58.2 *Class of mail to which applicable.* Only first-class letter mail having no value will be accepted as certified mail. This does not exclude articles of a nonnegotiable character and other matter which would involve a cost of duplication if lost or destroyed. The mail may be sent by air on payment of the required postage. Return receipt service requested at the time of mailing only and special delivery services are available on payment of the prescribed fees.

§ 58.3 *Fees.*

	Cents
Fee in addition to postage	15
Return receipts:	
Showing to whom and when delivered	7
Showing to whom, when and address where delivered	31
Inquiry fee	10

§ 58.4 *Mailing*—(a) *Payment of fees and postage.* A certified mail stamp is available for the fee. However, the fee and postage may be paid by ordinary postage stamps, meter stamps, or by permit imprints.

(b) *Where to mail.* You may mail certified mail at the post office, branch or station, or give it to a rural carrier. It may also be deposited in mail drops in post offices or in street letter boxes, provided you follow specific directions in paragraph (c) of this section.

(c) *How to mail.* Obtain blank certified mail coupons (no charge) at your post office or from your rural mail carrier. Also obtain blank return receipt forms if needed. Following is the procedure:

(1) Enter on the receipt portion of the certified mail coupon the name and complete address of the person or firm to whom the mail is addressed. If return receipt service is wanted, check block on the receipt to show the fee. (See § 58.3.)

(2) If return receipt is wanted, enter the certified mail number on the return receipt card, address it to yourself and attach it to the back of the envelope. If you desire the return receipt to show the address where the letter was delivered, there is a block at the top of the form which must be checked by you.

(3) Be sure to attach to the envelope sufficient postage stamps to pay for the certified mail fee, first-class postage, return receipt fee, or special delivery fee.

(4) If you want a postmarked sender's receipt, attach the certified mail sticker to the letter and present the letter and the completed coupon to the postal employee. If given to a rural carrier he will bring the postmarked receipt back to you.

(5) If you do not want a postmarked receipt, attach the Certified Mail sticker to the address side of the envelope directly above the address, detach your receipt, and deposit the letter in the mail box. Mark your receipt to show the date.

RECEIPT FOR CERTIFIED MAIL ..... No. 286539

(Name and complete address)

To .....

Postmark or date

Return receipt (Check one) 7¢ 31¢

SAVE THIS RECEIPT
Present it if you make inquiry

By

POD Form 3800
January 1955

(See other side)

CERTIFIED MAIL NO 286539

(d) *Firm mailing books.* If you mail an average of three or more letters at one time, you may use mailing books Form 3877a which are furnished by the postal service without charge, or specially printed mailing bills. A series of numbers will be furnished you. The sheets of the book become the sender's receipts. Books must be presented with the letters to be mailed. You must also obtain at your expense a stamp for endorsing the certified letters, or you may have your envelopes overprinted with the endorsement. The endorsement must be a facsimile or proportionate enlargement of the official endorsement shown in § 58.1. Following are instructions for use of the forms:

(1) Insert the word "Certified" in the space provided at the top of the form.

(2) The mailer must endorse and number the letters. If return receipt or special delivery services are requested, mark the letters "Return Receipt Requested," "Return Receipt Requested Showing Address Where Delivered," or "Special Delivery." Prepare and attach return receipt to the back of the envelopes with the receipt side showing.

(3) Show on the bill the number of each article and the name and address of addressee.

(4) Enter only the amount of fees paid for return receipts.

(5) Affix necessary postage to the articles.

(6) The accepting employee will count the items, receipt the bill for the total number, and return the bill to you.

§ 58.5 *Delivery*—(a) *Procedure.* Mail for delivery by carriers is taken out on the first trip after it is received, unless the addressee has requested the postmaster to hold his mail at the post office. The mail will be delivered to the addressee or his authorized representative after the delivery receipt is obtained by the postal employee. Delivery rules are the same as for registered mail. (See § 51.7 (b).)

(b) *Notice of arrival.* The carrier will leave a notice of arrival if he cannot deliver the certified letter for any reason. The letter will be brought back to the post office and held for you. If the letter is not called for or its redelivery requested, it will be returned at the expiration of the period stated by the sender, or after 15 days if no period is stated.

(c) *Rural delivery.* Rural carriers will deliver certified mail to your residence if it is not more than ½ mile from the route and if there is a passable road leading to it. Otherwise, a notice will be left in your box so that you may either meet him at the box on his next trip, or call at the post office for the mail.

(d) *Star route delivery.* Star route carriers may deliver certified mail only

when the addressee has authorized the postmaster in writing to give the mail to the carrier. The carrier will be required to sign for the mail and the responsibility of the postal service ends on delivery to the carrier.

(e) *Delivery records.* The delivery records will be held for six months. At the end of that period the records will be destroyed.

§ 58.6 *Inquiry.* Inquiry on Form 1510 concerning the loss of a certified letter may be made at the post office on payment of a fee of 10 cents. After a reasonable time has elapsed for the letter to have been received by the addressee, application for a duplicate return receipt may be made without charge. You must present your sender's receipt at the time an inquiry is filed or a request for a duplicate return receipt is made.

[F R. Doc. 55-1469; Filed, Feb. 18, 1955; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

An Order of the Bureau of Reclamation dated January 31, 1949, concurred in by the Associate Director, Bureau of Land Management, February 8, 1949, revoked Departmental Order of January 24, 1917, so far as it withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388) the following-described land in connection with the Boise Project, Idaho, and provided that such revocation should not affect the withdrawal of any other lands by said orders or affect any order withdrawing the lands described:

BOISE MERIDIAN, IDAHO

T. 1 S., R. 2 W.,
Sec. 22, W½NE¼, SE¼,
Sec. 23, E½NW¼, SW¼.

The areas described total 480 acres.

The lands described are located in Idaho Grazing District No. 1. Some of these lands contain areas of low hills, and the major portion of them is of fair quality for development under the desert-land law. Some of the areas require leveling and rock removal.

The lands are included in desert-land entries Blackfoot 055257, Idaho 0562 and 0596, and are not subject to the provisions of the act of September 27, 1944 (58 Stat. 747 43 U. S. C. 279-284) as amended, granting preference rights to veterans of World War II and others.

Inquiries concerning these lands shall be addressed to Manager, Land Office, Box 2237, Boise, Idaho.

NOLAN F KEIL,
Acting State Supervisor

FEBRUARY 11, 1955.

[F R. Doc. 55-1443; Filed, Feb. 18, 1955; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11054—11056; FCC 55-182]

ABRAHAM KLEIN ET AL.

ORDER AMENDING ISSUES

In re applications of Abraham Klein, Detroit, Michigan, Docket No. 11054, File No. 1417-C2-P-52; Aircall, Inc., Detroit, Michigan, Docket No. 11055, File No. 744-C2-P-54; John W Bennett, d/b as Telephone Answering Service, Flint, Michigan, Docket No. 11056, File No. 276-C2-P-54, for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of February 1955;

The Commission having under consideration a petition filed on July 28, 1954, by Aircall, Inc., requesting severance of the application of John W Bennett, d/b as Telephone Answering Service from the above-entitled proceeding;

It appearing that the Commission by order of June 9, 1954, designated for hearing in a consolidated proceeding the applications of Abraham Klein and Aircall, Inc., each requesting a construction permit for a one-way signaling station to operate in the city of Detroit, Michigan, on the frequency 35.58 megacycles and the application of John W Bennett, d/b as Telephone Answering Service which requests a construction permit for a one-way signaling station to operate in the city of Flint, Michigan on the frequency 43.58 megacycles and named New York Technical Institute of Cincinnati, Inc., licensee of Station KQC 884, Highland Park, Michigan, a party respondent to the proceeding; and

It further appearing that petitioner herein alleges that a grant to John W Bennett to operate in the city of Flint, Michigan, on the frequency 35.58 megacycles is precluded due to alleged prohibitive interference between such operation and the presently licensed operation of Station KQC574 at Saginaw, Michigan, but that the engineering affidavit submitted in support thereof does not set forth the extent of such alleged interference either as to areas or populations; and

It further appearing that, based upon an independent Commission study, the extent of co-channel interference which would result to the proposed Flint operation from Station KQC 884, Highland Park, Michigan, which is presently in issue in this proceeding, may be comparable to the interference which would result to it from Station KQC 574, Saginaw, Michigan, and that the proposed Flint operation would cause a substantial amount of interference (percentage-wise) to the Saginaw station and a lesser amount (percentage-wise), to the Highland Park station; and

It further appearing that, in view of the foregoing, the Commission is unable to determine whether co-channel operation is feasible between the cities of Flint and Saginaw, Michigan and therefore the said petition must be denied, but that the matters herein establish that the issues should be amended to permit the introduction of evidence on this point in the hearing proceeding and that the licensee of Station KQC 574 should be afforded the opportunity to appear and participate in the proceeding;

It is ordered, That the said petition is denied and that the issues in the above-entitled proceeding are amended to renumber issues 3, 4, 5, 6, 7 and 8 as issues 4, 5, 6, 7, 8, and 9 and to include the following issue:

3. To determine whether, and to what extent, co-channel operations are feasible between Flint and Saginaw, Michigan.

It is further ordered, That Carl G. King, d/b as Telephone Answering Service, licensee of Station KQC 574, Saginaw, Michigan, is made a party to this proceeding with his participation limited to issues 2, 3, 4, 5 and 6 and the participation of New York Technical Institute of Cincinnati, Inc., is enlarged to include issue 3.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1470; Filed, Feb. 18, 1955; 8:52 a. m.]

[Docket No. 11271; FCC 55-160]

RADIO TIFTON (WTIF)

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Charlie H. Parish, Jr. and Charlie H. Parish, Sr., d/b as Radio Tifton (WTIF) Tifton, Georgia, for construction permit; Docket No. 11271, File No. BP-9415.

1. The Commission has before it a protest filed on January 14, 1955, by the Tifton Broadcasting Corporation, licensee of Station WWGS, Tifton, Georgia (1340 kc, 250 w, unlimited time) pursuant to section 309 (c) of the Communications Act of 1934, as amended, protesting the Commission's action of December 15, 1954 (released December 16, 1954) granting without hearing the above-entitled application of Radio Tifton for a new standard broadcast station (WTIF) to operate on 1570

kilocycles with a power of 1 kilowatt, daytime only at Tifton, Georgia; and an opposition to the said protest filed by WTIF on January 24, 1955.

2. In support of its protest, WWGS contends that it will suffer economic injury as a result of the Commission's action in granting the application in question, that the potential advertising revenue in Tifton, Georgia, is limited and that it is improbable that a second station can derive revenue from the area without decreasing that now flowing to WWGS to the extent that one of the stations will not be able to survive with the result that the listening public will be left without adequate service, or that both stations will be compelled to render inadequate service; that the grantee failed to make a full disclosure on a material matter in that the grantee failed to advise the Commission that the grantee would build the authorized Tifton station only if and when the grantee's Station WCLS, Columbus, Georgia (construction permit for which was granted on September 7, 1954) was operating on a profitable basis; that no showing was made that programming would fit the needs of the city sought to be served; and that certain misrepresentations in the balance sheet of one of the partners in the applicant leave the applicant not qualified financially to construct and operate the proposed station.

3. The protestant has specified the following issues on which it asks for an opportunity to present evidence:

1. To determine whether the Tifton market area will provide sufficient revenues to the proposed station to enable it to adequately operate in the public interest.

2. To determine whether, because of the lack of advertising potential in the Tifton market, competition between the existing station and the proposed station may force one or both to fail for lack of financial support, with the result that the public of Tifton will be without a local radio outlet.

3. To determine whether the advertising potential of the Tifton market is so inadequate, that the operation of a second station may cause either or both stations to render an inadequate service to the people of Tifton.

4. To determine whether the applicant's proposed programming is designed to serve the needs of the Tifton area.

5. To determine whether the applicant has made a full disclosure to the Commission concerning its intentions to build a station at Tifton, Georgia.

6. To determine whether misrepresentations have been made to the Commission concerning the finances of the applicant and Charlie H. Parish, Sr., and whether, in light of these facts, and the unavailability of potential advertising in Tifton, Georgia, the applicant is financially qualified to construct and operate a radio station.

7. To determine whether, in light of the evidence adduced in the foregoing issues, the public interest, convenience or necessity will be served by a grant of the application of Radio Tifton.

4. In view of the fact that protestant is licensee of standard broadcast station WWGS in Tifton, Georgia; that the grant herein protested establishes a second standard broadcast station in Tifton in direct competition with protestant's existing and operating station; and that protestant has alleged that it has been and will continue to be financially injured by the grant in question, we are constrained to conclude that protestant is a "party in interest" which may protest under section 309 (c) See T. E. Allen & Sons 9 Pike & Fischer, RR 197· Federal Communications Commission v Sanders Brothers Radio Station, 309 U. S. 470.

5. Issues 1, 2 and 3 are specified by the protestant relate to economic injury. These issues, designed to show that the public interest would suffer by the establishment of a second station in Tifton, Georgia, in all likelihood, are not pertinent because of considerations already set out by the Commission in In re Voice of Cullman, 6 RR 164 (1950) [1] However, the Commission recently in a very similar case In re Application of American Southern Broadcasters (WPWR) 11 RR 1054, decided to afford the protestant in that case an oral argument on the legal and policy questions raised by protestants seeking hearing issues on the competitive aspects of new stations. Consequently the instant protestant will be afforded a similar oral argument on the policy and legal questions raised by the requested economic injury issues.

6. With respect to Issue 4, protestant contends that the programming proposal of the subject Tifton application is identical with the programming proposal submitted by the Muscogee Broadcasting Company in its application for a construction permit for a new standard broadcast station in Columbus, Georgia which was granted on September 7, 1954 (File No. BP–8845) Charlie H. Parish, Sr., and Charlie H. Parish, Jr., partners in the subject Tifton applicant are each 50 percent stockholders in the Muscogee Broadcasting Company. Upon the basis of such facts, the protestant contends that Radio Tifton has failed to make an affirmative showing that its programming proposal would meet the needs of the Tifton area and that Radio Tifton is completely indifferent to the programming needs of the Tifton community proposed to be served. Therefore, with respect to Issue 4 it is the Commission's opinion that the protestant has stated with particularity facts, matters and things relied upon as required by the provisions of section 309 (c) to warrant the inclusion of Issue 4. Since the matters raised by the protestant raise a prima facia case that the programming proposal submitted by Radio Tifton was deficient, said issue is being adopted by the Commission, and the burden of proof thereon is placed on Radio Tifton.

7. With respect to Issue 5, the protestant contends that the grantee has not made a full disclosure to the Commission concerning its intention to actually build a station at Tifton, Georgia, inasmuch as a party to the applicant stated in a letter to the son of a former WWGS stockholder that the subject Tifton station would be built only if and when the Columbus, Georgia, station described in the above paragraph was operating on a profitable basis. The subject application was filed on August 2, 1954. In a letter addressed to Gene Graham and dated August 30, 1954, Charlie Parish, Jr., one of the partners in the subject applicant, stated that his first concern was the Columbus station and that "if things [did] not meet [his] expectations at Columbus fate may have it that I will never construct a station at Tifton" [2] It is stated in WTIF's opposition to the subject WWGS petition that, in the said letter, Mr. Parish was writing to Mr. Graham as a friend, "Dear Gene" and disclosed to him that if he ran into financial difficulty at the station in Columbus it might be that he would not be able to build the facility at Tifton, and that the statement in no way reflects on the representations made in the application for the Tifton construction permit. It is further stated that as proof of the grantee's intention to build the Tifton facility as granted, construction was started on the facility on January 12, 1955, at which time ground was cleared at the transmitter site for the ground system, tower and transmitter building. The protestant questions the applicant's intention to build a station at Tifton, Georgia, and the above-described letter relied upon by the protestant is but one isolated fact, the materiality of which in attempting to show intent cannot be determined except in relation to all the facts of this case. In view of the foregoing, the Commission is of the opinion that the information submitted by the protestant is not sufficient to warrant adoption as its own the issue of full disclosure of grantee's intension to build a station at Tifton, Georgia. Therefore, the burden of proof upon this issue is being left with Tifton Broadcasting Corporation.

8. With respect to Issue 6, relating to the grantee's financial qualifications, protestant contends that misrepresentations were made in the balance sheet of Charlie H. Parish, Sr., as submitted with the subject application. It is further contended by the protestant that certain items in the balance sheet for Mr. Parish, Sr., were over-estimated, and that in view of such over-estimation and the alleged lack of revenue sources referred to above, the subject applicant is not financially qualified to construct and operate the station. The protestant claims that "the financial qualifications of the applicant depend entirely upon the financial ability of Mr. Parish, Sr." The balance sheet for Charlie H. Parish, Sr., submitted with the subject appli-

[1] See also In re Van Curler Broadcasting Corporation, 11 RR 215 where the Commission stated "there is a grave doubt as to whether a showing of economic injury on the part of a protestant would entitle him to a hearing on an issue related to the competition which the protestant would suffer from the operation of another station in his community"

[2] Exhibit 4, WWGS subject protest.

cation shows a net worth of $82,950, of which $24,200 is in U. S. Bonds. The cost of constructing Station WTIF is estimated to be $14,495. Assuming the over-estimates are as great as protestant alleges, there still would be available to the grantee sufficient funds to finance the construction and initial operation of the station in question. Thus, it is the Commission's opinion that the protestant has failed to state with particularity sufficient facts, matters and things relied upon as required by the provisions of section 309 (c) to warrant the designation of the above-entitled application for hearing upon the issue respecting the financial qualifications of the subject grantee. Accordingly, said issue is not being designated for hearing.

In view of the foregoing: *It is ordered,* That the effective date of the Commission's action of December 15, 1954, granting the above-entitled application of Radio Tifton is postponed pending a final decision by the Commission with respect to the evidentiary hearing hereinafter provided for·

It is further ordered, That oral argument before the Commission en banc will be held on the legal and policy questions raised on the following economic issues, after which the Commission will issue a decision on each of the said issues, either dismissing it or designating it for evidentiary hearing in the hearing provided for below·

1. To determine whether the Tifton market area will provide sufficient revenues to the proposed station to enable it to adequately operate in the public interest.

2. To determine whether, because of the lack of advertising potential in the Tifton market competition between the existing station and the proposed station may force one or both to fail for lack of financial support, with the result that the public of Tifton will be without a local radio outlet.

3. To determine whether the advertising potential of the Tifton market is so inadequate, that the operation of a second station may cause either or both stations to render an inadequate service to the people of Tifton.

It is further ordered, That the Tifton Broadcasting Corporation and the Chief, Broadcast Bureau, are made parties to the oral argument and the evidentiary hearing hereinafter provided for and that:

a. The oral argument shall commence at 10:00 a. m. on February 28, 1955.

b. The economic injury issues (1, 2, and 3) shall be argued upon the basis of the facts alleged in the protest of the Tifton Broadcasting Corporation and in accordance with the views set forth in this opinion with respect to the adequacy of such allegations.

c. The parties shall have fifteen days after the oral argument to file proposed findings of fact and conclusions of law, and briefs as desired; the parties shall have fifteen days after the close of the evidentiary hearing to file proposed findings of fact and conclusions, and such briefs as are desired; and they shall have fifteen days after the issuance of the Examiner's decision to file exceptions thereto; and seven days after each of the above to file replies to any such exceptions.

d. The parties intending to participate in this proceeding shall file their appearances not later than February 21, 1955.

It is further ordered, That the above-entitled application of Radio Tifton is designated for evidentiary hearing upon the following issues, at a time and place to be specified in the Commission's decision with respect to Issues 1, 2, and 3:

4. To determine whether the applicant's proposed programming is designed to serve the needs of the Tifton area.

5. To determine whether the applicant has made a full disclosure to the Commission concerning its intention to build a station at Tifton, Georgia.

It is further ordered, That the burden of proof on Issue 4 is placed upon Radio Tifton and that the burden of proof on Issue 5 is placed on the Tifton Broadcasting Corporation.

Adopted: February 10, 1955.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1471; Filed, Feb. 18, 1955; 8:53 a. m.]

[Docket Nos. 11272, 11273; FCC 55-162]

TENNESSEE VALLEY BROADCASTING CO. (WAGC) AND E. WEAKS MCKINNEY-SMITH

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Gordon W Gambill, Hubert M. Martin, Humphrey B. Heywood and R. T. Russell d/b as Tennessee Valley Broadcasting Company (WAGC) Fort Oglethorpe, Georgia, Docket No. 11272, File No. BP-9106 E. Weaks McKinney-Smith, Paducah, Kentucky Docket No. 11273, File No. BP-9268; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955

The Commission having under consideration the above-entitled applications of the Tennessee Valley Broadcasting Company for a construction permit to change the facilities of Station WAGC, Chattanooga, Tennessee, from 1450 kilocycles with a power of 250 watts, unlimited time, to Fort Oglethorpe, Georgia, on 1560 kilocycles with a power of 10 kilowatts, directional antenna, unlimited time; and E. Weaks McKinney-Smith for a construction permit for a new standard broadcast station to operate on 1560 kilocycles with a power of one kilowatt, directional antenna, unlimited time, at Paducah, Kentucky·

It appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letter dated July 27, 1954 that their proposed operations would involve mutually destructive interference; that the proposal of E. Weaks McKinney-Smith would cause interference to the authorized operation of Station WQXR, New York City, N. Y. (1560 kilocycles, 50 kilowatts power· File No. BP-4506, granted March 3, 1954) and might not provide the recommended minimum of interference-free service within its normally protected nighttime contour (4 mv/m) as provided for in § 3.28 (c) of the Commission's rules 47 CFR 3.28 (c) and

It further appearing that Interstate Broadcasting Company Inc., licensee of Station WQXR, New York City N. Y. (1560 kc, 10 kw, Unl., CP 1560 kc, 50 kw, Unl., I-B) has filed pleadings requesting that both subject applications be dismissed for failure to comply with § 3.28 (c) or in the alternative, be designated for hearing because of interference to the existing and authorized operations of WQXR; and

It further appearing that WAGC amended its application on January 18, 1955, to specify station location as Ft. Oglethorpe, Georgia, in lieu of Chattanooga, Tennessee; and

It further appearing that each of the subject applicants contended in pleadings filed with the Commission that the other would not meet the requirements of § 3.28 (c) of the Commission's rules; that E. Weaks McKinney-Smith filed data to establish the fact that more than 25 percent of the nighttime primary service area of his proposed operation is without primary nighttime service; and that on February 8, 1955, additional data was filed by WAGC purporting to show that less than 25 percent of the E. Weaks McKinney Smith proposed nighttime service area is without primary service.

It further appearing that, on the basis of the data submitted by the subject applicants, it is the opinion of the Commission that a question obtains as to whether the proposed operation of E. Weaks McKinney Smith complies with § 3.28 (c) and

It further appearing, that each of the subject applicants is legally financially technically and otherwise qualified to operate the proposed stations; and

It further appearing that the Commission has given full consideration to the pleadings filed by WQXR and the subject applicants and is of the opinion that a hearing is necessary·

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the stations as proposed, and the availability of other primary service to such areas and populations.

2. To determine whether the subject proposed operations would involve objectionable interference with the exist-

[3] Commissioner Doerfer dissented in opinion.

ing or the authorized (File No. BP-4506) operation of Station WQXR New York City N. Y., or with any other existing standard broadcast station, and, if so, the nature and extent of such interference.

3. To determine whether the operation proposed by E. Weaks McKinney-Smith would be in compliance with the provisions of § 3.28 (c) of the Commission's rules.

4. To determine, on a comparative basis, which of the operations proposed in the above-entitled applications would better serve the public interest, convenience or necessity in the light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

5. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which, if either, of the subject proposals would provide the more fair, efficient and equitable distribution of radio service.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his own motion or on the petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That Interstate Broadcasting Company Inc., licensee of Station WQXR, New York City N. Y., is made a party to the said proceeding.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1472; Filed, Feb. 18, 1955; 8:53 a. m.]

[Docket Nos. 11274, 11275; FCC 55-163]

DELTA-DEMOCRAT PUBLISHING CO. AND COTTON BELT BROADCASTING CORPORATION OF MISSISSIPPI

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Delta-Democrat Publishing Company Greenville, Mississippi, Docket No. 11274, File No. BP-9499; Cotton Belt Broadcasting Corporation of Mississippi, Clarksdale, Mississippi, Docket No. 11275, File No. BP-9558; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955

The Commission having under consideration the above-entitled applications for construction permits of Delta-Democrat Publishing Company for a new standard broadcast station to operate on a frequency of 900 kilocycles with a power of 1000 watts, daytime only at Greenville, Mississippi (File No. BP-9499) and Cotton Belt Broadcasting Corporation of Mississippi for a construction permit for a new standard broadcast station to operate on a frequency of 900 kilocycles with a power of 250 watts, daytime only at Clarksdale, Mississippi (File No. BP-9558)

It appearing that the applicants are legally technically, financially and otherwise qualified to operate their proposed stations, but that the operation of both applicants as proposed would result in mutually destructive interference; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letter of December 10, 1954, of the aforementioned deficiency; and

It further appearing that timely replies were received from Delta-Democrat Publishing Company on January 10, 1955, and from Cotton Belt Broadcasting Corporation of Mississippi on December 16, 1954, each expressing an intention to appear at a hearing; and

It further appearing that Cotton Belt Broadcasting Corporation of Mississippi is licensee of Station WGVM, Greenville, Mississippi, and that the primary service area of Station WGVM will overlap with the service area of Cotton Belt's proposed Clarksdale operation; and

It further appearing that the Commission, after consideration of the replies, is of the opinion that a hearing is necessary;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

2. To determine the overlap which would exist between the service areas of the station proposed by the Cotton Belt Broadcasting Corporation of Mississippi and of Station WGVM, Greenville, Mississippi, the nature and extent thereof, and if any, whether a grant of the Cotton Belt application would be in contravention of the provisions of the Commission's Multiple Ownership Rule (47 CFR 3.35)

3. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the two above-entitled applications would provide the more fair, efficient and equitable distribution of radio service.

4. To determine, on a comparative basis, which of the operations proposed in the above-entitled applications would better serve the public interest, convenience, or necessity in the light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1473; Filed, Feb. 18, 1955; 8:53 a. m.]

[Docket Nos. 11276-11278; FCC 55-164]

HOPKINS-EDINA-ST. LOUIS PARK BROADCASTING CO. ET AL

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Edward Schons and William E. Schons, doing business as Hopkins-Edina-St. Louis Park Broadcasting Company, Hopkins-Edina-St. Louis Park, Minnesota, Docket No. 11276, File No. BP-9405; Suburban Broadcasting Corporation, Hopkins-St. Louis Park-Edina, Minnesota, Docket No. 11277, File No. BP-9467; Northeast Iowa Radio Corporation (KOEL) Oelwein, Iowa, Docket No. 11278, File No. BP-9498; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955;

The Commission having under consideration the above-entitled applications of the Hopkins-Edina-St. Louis Park Broadcasting Company and the Suburban Broadcasting Corporation, each for a construction permit for a new standard broadcast station to operate on 950 kilocycles with a power of 1 kilowatt and a directional antenna, daytime only, at Hopkins-Edina-St. Louis Park, Minnesota, and the Northeast Iowa Radio Corporation for a construction permit to change the facilities of Station KOEL, Oelwein, Iowa, from operation with a power of 500 watts, same directional antenna day and night, unlimited time, to operation with a power of 1 kilowatt

day and 500 watts night, different directional antenna pattern day and night, unlimited time on 950 kilocycles; and

It appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letters dated October 8, and December 10, 1954, of the deficiencies in their applications and that the Commission was unable to conclude that a grant of any of the applications would be in the public interest; and

It further appearing that a reply was received from each of the subject applicants; and

It further appearing that in a letter dated October 28, 1954, the Hopkins-Edina-St. Louis Park Broadcasting Company acknowledged that its proposed operation involved mutually destructive interference with the proposal of the Suburban Broadcasting Corporation and stated that it would appear at a hearing on the said applications; and

It further appearing that data submitted in the application of the Hopkins-Edina-St. Louis Park Broadcasting Company indicates that it is not financially qualified to construct and operate the proposed station and the aerial photograph submitted with this application does not show sufficient detail from which a determination can be made as to whether the site is satisfactory; and

It further appearing that the Suburban Broadcasting Corporation amended its application on November 5, 1954, to change the applicant from an individual to the said corporation and to submit measurements purporting to show no overlap of the 25 mv/m contours of its proposed operation and Station WPBC, Minneapolis, Minnesota, and in a letter dated December 28, 1954 requested that the KOEL application be designated for hearing; and

It further appearing that the said measurements are not considered sufficient to prove the absence of overlap of the 25 mv/m contours of Station WPBC and the Suburban Broadcasting Corporation proposal inasmuch as they were not made or analyzed in complete accordance with the Commission's Engineering Standards; and that additional measurements will be necessary to prove the absence of such overlap between Station WPBC and the proposals of the Suburban Broadcasting Corporation and the Hopkins-Edina-St. Louis Park Broadcasting Company; and

It further appearing that in a letter dated January 7, 1955, Station KOEL acknowledged that its proposed operation would cause interference to the subject proposals of the Suburban Broadcasting Corporation and the Hopkins-Edina-St. Louis Park Broadcasting Company but stated that the interference would cause a population loss of less than 4 percent to either proposal, and

It further appearing that Station WPBC, in a letter dated October 14, 1954, requested that the applications of the Suburban Broadcasting Corporation and the Hopkins-Edina-St. Louis Park Broadcasting Company be designated for hearing and that WPBC be made a party to the hearing; and

It further appearing that in a letter dated December 9, 1954, Station KIOA, Des Moines, Iowa (940 kc) stated that it would interpose no objection to a grant of the subject application of KOEL for increased power, if a grant of the KOEL application contained a condition that measurements showing that the radiation toward KIOA had not been increased be submitted prior to authorization for program tests; and

It further appearing that the Suburban Broadcasting Corporation and the Northeast Iowa Radio Corporation (KOEL) are legally technically, financially and otherwise qualified to operate the stations as proposed, and

It further appearing that the Hopkins-Edina-St. Louis Park Broadcasting Company except for the matters raised in Issue 4, is legally, technically and otherwise qualified to operate the proposed station, and

It further appearing that the Commission, after consideration of the above replies, is of the opinion that a hearing is necessary·

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the stations proposed by the Suburban Broadcasting Corporation and the Hopkins-Edina-St. Louis Park Broadcasting Company would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to overlap of the 25 mv/m contours of the proposed operations and Station WPBC, Minneapolis, Minnesota.

3. To determine whether the installation and operation of the station proposed by the Hopkins-Edina-St. Louis Park Broadcasting Company would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to suitability of the site specified.

4. To determine whether the Hopkins-Edina-St. Louis Park Broadcasting Company is financially qualified to construct and operate the proposed station.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with any other existing broadcast station, and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other primary service to such areas and populations.

6. To determine, on a comparative basis, which of the operations proposed in the above-entitled applications would best serve the public interest, convenience and necessity in the light of the evidence adduced under the foregoing issues and record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

7. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which, if any of these applicants would provide the more fair, efficient and equitable distribution of radio service.

It is further ordered, That the issues in the above-entitled proceding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the fund available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That Peoples Broadcasting Company licensee of Station WPBC, Minneapolis, Minnesota, is made a party to the proceeding.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1474; Filed, Feb. 18, 1955; 8:53 a. m.]

[Docket No. 11281]

PRIME, INC.

ORDER DESIGNATING MATTER FOR HEARING

In the matter of cease and desist order to be directed to Prime, Incorporated, P O. Box 132, Abrecht Place, Frederick, Maryland; Docket No. 11281.

The Commission having under consideration the issuance of an order pursuant to section 312 (b) of the Communications Act of 1934, as amended, to Prime, Incorporated (hereinafter referred to as Prime, Inc.) to cease and desist from violating Part 18 of the Commission's rules by operating electric arc welding equipment using radio frequency energy (hereinafter referred to as welding equipment) which (1) is the source of interference to authorized services, and (2) is not certified or licensed in accordance with the Commission's rules;

It appearing that Prime, Inc., operates in its plant at Abrecht Place, Frederick, Maryland, certain welding equipment which generates radio frequency energy with emissions centering around 1700 kilocycles and extending into the standard broadcast band and with harmonics on television channels, the welding equipment being subject to the requirements of § 18.1 of the Commission's

rules contained in Part 18 entitled rules governing Industrial, Scientific, and Medical Service; and

It further appearing that the aforementioned equipment caused interference to reception of radio communications in Frederick, Maryland, transmitted by WAYZ, Waynesboro, Pennsylvania, and by WTOP-TV Washington, D. C., and

It further appearing that the aforementioned equipment has not been certified by a duly qualified engineer or the manufacturer of the equipment as required by § 18.1 of the Commission's rules, nor has the equipment been licensed pursuant to § 18.41 of the Commission's rules; and

It further appearing that the above facts have been called to the attention of Prime, Inc. by the Commission both orally and in writing, and that Prime, Inc. has been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements but such demonstration has not been made and such compliance has not been accomplished,

It is ordered, This 14th day of February 1955, pursuant to section 312 (c) of the Communications Act of 1934, as amended, and pursuant to section 0.271 (d) of the Commission's rules to show cause why cease and desist orders should not be issued with respect to Industrial, Scientific and Medical Equipment, that Prime, Inc. be and is hereby directed to show cause why there should not be issued an order commanding it to cease and desist from violating the provisions of Part 18 of the Commission's rules by operating welding equipment without the certification or license required by Part 18 of the Commission's rules, and by operating such equipment in a manner which causes interference to authorized radio services; and

It is further ordered, That a hearing in this matter be held in Washington, D. C., at 10:00 a. m. on the 28th day of March 1955, in order to determine whether said cease and desist order should be issued, and that Prime, Inc., is herewith called upon to appear at this hearing and give evidence upon the matters specified herein; and

It is further ordered, Pursuant to § 1.402 of the rules, that said Prime, Inc., is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that Prime, Inc., will appear and present evidence on the matter specified in this Order if Prime, Inc., desires to avail itself of its opportunity to appear before the Commission. If said Prime, Inc., does not desire to appear before the Commission and give evidence on the matter specified herein, it shall, within thirty days of the receipt of this order, file with the Commission, in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Prime, Inc., believes that a cease and desist order shall not be issued, and

It is further ordered, That failure of said Prime, Inc., timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: February 16, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1475; Filed, Feb. 18, 1955; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

OFFICE OF TECHNICAL SERVICES; COMMODITY STANDARDS DIVISION

STATEMENT OF PROCEDURES

Correction

In F R. Document 55-1333, appearing at page 1027 of the issue for Thursday February 17, 1955, the caption now reading "Statement of Organization" should be changed to read "Statement of Procedures" as set forth above.

FEDERAL POWER COMMISSION

[Docket No. E-6157]

DEPARTMENT OF THE INTERIOR, SOUTHEASTERN POWER ADMINISTRATION, ALLATOONA PROJECT

NOTICE OF ORDER CONFIRMING AND APPROVING RATES AND CHARGES FOR LIMITED PERIOD

FEBRUARY 14, 1955.

Notice is hereby given that on January 18, 1955, the Federal Power Commission issued its order adopted January 13, 1955, confirming and approving rates and charges for a limited period in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1449; Filed, Feb. 18, 1955; 8:47 a. m.]

[Docket No. E-6585]

SOUTH CAROLINA GENERATING CO.

NOTICE OF ORDER EXTENDING TIME TO MAKE SHOWING OF FACTS

FEBRUARY 14, 1955.

Notice is hereby given that on January 17, 1955, the Federal Power Commission issued its order adopted January 13, 1955, granting further extension of time to February 23, 1955, to make showing of facts in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1450; Filed, Feb. 18, 1955; 8:47 a. m.]

[Docket No. G-1364]

IOWA-ILLINOIS GAS AND ELECTRIC CO.

NOTICE OF ORDER AFFIRMING AND ADOPTING INITIAL DECISION

FEBRUARY 14, 1955.

Notice is hereby given that on January 21, 1955, the Federal Power Commission issued its order adopted January 13, 1955, affirming and adopting initial decision of Presiding Examiner in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1451; Filed, Feb. 18, 1955; 8:47 a. m.]

[Docket No. G-1907]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER GRANTING AND DENYING, IN PART, PETITION FOR MODIFICATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 14, 1955.

Notice is hereby given that on January 18, 1955, the Federal Power Commission issued its order adopted January 13, 1955, granting, in part, and denying, in part, petition for modification of certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1452; Filed, Feb. 18, 1955; 8:48 a. m.]

[Docket No. G-2303]

HOPE NATURAL GAS CO.

NOTICE OF ORDER GRANTING IN PART APPLICATION AND MODIFICATION OF ORDER AFFIRMING INITIAL DECISION

FEBRUARY 14, 1955.

Notice is hereby given that on January 17, 1955, the Federal Power Commission issued its order adopted January 13, 1955, granting in part application for rehearing and modification of order affirming initial decision of Presiding Examiner in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1453; Filed, Feb. 18, 1955; 8:48 a. m.]

[Docket Nos. G-2681, G-2728, G-2732, G-2759, G-2790, G-3671, G-3757, G-3763, G-3780, G-4116, G-4427, G-4432]

B. M. BRITAIN ET AL.

NOTICE OF FINDINGS AND ORDERS

FEBRUARY 14, 1955.

In the matters of B. M. Britain and C. E. Weymouth, Docket Nos. G-2681, G-4116 Ruth A. McBurney attorney in fact, Docket No. G-2728; Gaulley Gas Company, Docket No. G-2732; Kerr-McGee Oil Industries, Inc., Docket No. G-2759· Stanolind Oil and Gas Company, Docket No. G-2790· Coleman Gas Company, Docket No. G-3671, Quaker State Oil Refining Corporation, Docket No. G-3757 Maple Gas Company, Docket No. G-3763; Albert A. Thornbrough, Docket No. G-3780· W C. Feazel, Miss Lallage Feazel, Docket No. G-4427 G. M. Anderson, and Mrs. Gertrude Feazel Anderson and Shell Oil Company, Docket No. G-4432.

Notice is hereby given that on January 18, 1955, the Federal Power Commission issued its findings and orders adopted January 13, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1454; Filed, Feb. 18, 1955; 8:48 a. m.]

[Docket No. G-3064]

COLORADO-WYOMING GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Colorado-Wyoming Gas Company (Applicant) a Delaware corporation, whose address is Denver, Colorado, filed an application on September 24, 1954, which was supplemented on October 21 and November 22, 1954, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to tap its Thornton lateral and construct and operate approximately 4,000 feet of 3-inch pipeline extending to Welby, Colorado, together with necessary metering facilities, for the transportation and sale of natural gas to Public Service Company of Colorado for resale in and adjacent to the community of Welby.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 7, 1955, at 9:45 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 1, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-1444; Filed, Feb. 18, 1955; 8:46 a. m.]

[Docket No. G-3290]

NORTHERN PUMP CO. ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Northern Pump Company a Minnesota Corporation with its principal place of business in Fridley Minnesota, for itself and on behalf of: John B. Hawley Jr., G. A. Kane, G. S. Davidson, C. M. Underwood, H. Randolph, Rosita Hawley Myra Hofmeister and John B. Hawley, Jr., as trustee for Terrell Hawley hereinafter called "Applicant" filed on September 27, 1954, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicants produce and sell natural gas as indicated below:

NORTHERN PUMP CO.

Location of field	Purchaser	Date of contract	Rate (cents per Mcf)
Kansas Hugoton Field	Cities Service Gas Co	June 23, 1950	11
Liberal Light Pool, Seward County, Kans	Panhandle Eastern Pipe Line Co	April 2, 1952	8.932927 and 9.82622
Macksville Field, Stafford County Kans	Kansas Power and Light Co	Sept. 27, 1948 and Jan. 1, 1951	9
Mission Valley Field, Victoria County Tex	Transcontinental Gas Pipeline Co	Jan. 10, 1948	7.01796

JOHN B. HAWLEY, JR.

Kansas Hugoton Field	Cities Service Gas Co	June 23, 1950	11
Hugoton Field, Seward County, Kans	Northern Natural Gas Co	Nov. 19, 1951	11
Hugoton Field, Stevens County, Kans	do	Oct. 12, 1938, Jan. 27, 1948 and May 11, 1948	11
Hugoton Field, Kearny County, Kans	Kansas-Nebraska Natural Gas Co	May 28, 1953 and Dec. 23, 1952	11
Hugoton Field, Seward County, Kans	Northern Natural Gas Co	Nov. 19, 1951	11
Hugoton Field, Haskell County, Kans	do	Apr. 4, 1952	11
Hugoton Field, Stevens County, Kans	do	Nov. 1, 1952	11
Hugoton Field, Seward County, Kans	do	Nov. 19, 1951	11
Pettiquah Pool, Ofuskee, Lincoln and Creek Counties, Okla.	Oklahoma Natural Gas Co	Nov. 20, 1946 and May 20, 1954	5
Hugoton Field, Texas County, Okla	Phillips Petroleum Co	Dec. 5, 1945	9.82622
Hugoton Field, Finney County, Kans	Kansas Nebraska Natural Gas Co	May 28, 1953 and Dec. 23, 1953	11
Hugoton Field, Finney County, Kans	Colorado Interstate Gas Co	Aug. 26, 1947 and July 17, 1953	12

JOHN B. HAWLEY, JR., TRUSTEE FOR TERRELL HAWLEY

Hugoton Field, Texas County, Okla	Panhandle Eastern Pipe Line Co	June 11, 1952	9.8262
Hugoton Field, Seward County, Kans	Northern Natural Gas Co	June 19, 1951	11

G. A. Kane, G. S. Davidson, C. M. Underwood, H. Randolph, Rosita Hawley and Myra Hofmeister sell natural gas produced from the Hugoton Field, Finney County, Kansas, to Cities Service Gas Company at 11 cents per Mcf under a contract between Cities Service Gas Company and Stanolind Oil and Gas Company dated June 23, 1950. The respective applicants receive payment from Stanolind.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 10, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of March 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1445; Filed, Feb. 18, 1955; 8:46 a. m.]

[Docket No. G-4279]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that United Gas Pipe Line Company (Applicant) a Delaware cor-

poration whose address is Shreveport, Louisiana, filed on October 18, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposed to tap its 30-inch Kosciusko line and construct and operate approximately 2,100 feet of 2-inch pipeline extending to Thomastown, Mississippi, together with necessary metering facilities, for the transportation and sale of natural gas to United Gas Corporation for resale in and adjacent to the village of Thomastown.

Applicant has requested omission of the intermediate decision procedure and that its application be heard under the shortened procedure provided by § 1.32 (b) (18 FR 1.32 (b)) of the Commission's rules of practice and procedure.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 7, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 1, 1955.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1446; Filed, Feb. 18, 1955; 8:46 a. m.]

[Docket No. G-4407]

H. L. HAWKINS ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

In the matter of H. L. Hawkins, H. L. Hawkins, Jr., and Frank S. Kelly, Jr.

Take notice that H. L. Hawkins, H. L. Hawkins, Jr., and Frank S. Kelly Jr. (Applicant) whose addresses are New Orleans, Louisiana, Houston, Texas, and Shreveport, Louisiana, respectively, filed on October 13, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the Hayes Field, in Calcasieu and Jefferson Davis Parishes, Louisiana, which gas is sold in interstate commerce to Trunkline Gas Company (contract dated December 24, 1952, price 9.55712 cents per Mcf) for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 9, 1955, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 28, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1447; Filed, Feb. 18, 1955; 8:47 a. m.]

[Docket No. G-6857]

TEXAS EASTERN TRANSMISSION CORP

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 10, 1955.

Take notice that Texas Eastern Transmission Corporation (Applicant) a Delaware corporation whose address is Texas Eastern Building, Shreveport, Louisiana, filed an application on December 15, 1954, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant requests authority to sell and deliver up to 3,366 Mcf of natural gas per day (at 14.73 psia) through March 31, 1955, to Huntingdon Gas Company pursuant to its WPS Rate Schedule. Huntingdon Gas Company would distribute the gas in the Borough of Huntingdon, Pennsylvania. By order issued April 29, 1954, in Docket No. G-2340, the Commission authorized Applicant to deliver up to 809 Mcf of natural gas per day on a firm basis to Huntingdon Gas Company

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 14, 1955, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 28, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F R. Doc. 55-1448; Filed, Feb. 18, 1955; 8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

ATTORNEY GENERAL

DELEGATION OF AUTHORITY WITH RESPECT TO DISPOSAL BY LEASE OF THE FEDERAL JAIL AT KODIAK, ALASKA, OR SPACE THEREIN

1. By virtue of the authority vested in me by sections 203 and 205 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 385, 390) hereinafter referred to as the act, I hereby authorize the Attorney General to determine whether the Federal Jail at Kodiak, Alaska, or space therein, is required for the needs and responsibilities of Federal agencies; and, upon determination that such property, or space therein, is not so required, to dispose of it by negotiated lease to the City of Kodiak, Alaska, upon such terms as may be deemed advantageous to the United States.

2. Prior to such disposal of such property, or space therein, the Attorney General shall, by appropriate action, determine whether any Federal agency has need therefor, and, if so, shall notify the General Services Administration, whereupon the delegation of authority made hereby shall become null and void.

3. The Attorney General shall submit to the appropriate committees of Congress an explanatory statement of the type required by section 203 (e) of the act, as amended by section 1 (i) of the

act of July 12, 1952, 66 Stat. 593, at least thirty days prior to the consummation of any lease negotiated pursuant hereto. A copy of each such statement shall be furnished the General Services Administration.

4. The authority contained herein shall be exercised in accordance with the act and the regulations of the General Services Administration issued pursuant thereto.

5. The authority delegated herein may be redelegated by the Attorney General to any other officer or employee of the Department of Justice.

6. This delegation of authority shall become effective on the date hereof.

Dated: February 16, 1955.

EDMUND F MANSURE,
Administrator

[F. R. Doc. 55-1547; Filed, Feb. 18, 1955; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30254]

BITUMINOUS COAL FROM INNER AND OUTER CRESCENTS DISTRICTS AND FROM OHIO TO AURORA, ILL.

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Chicago and North Western Railway Company for itself and on behalf of carriers parties to tariffs referred to below.

Commodities involved: Bituminous coal, carload.

From: Inner and Outer Crescents districts and from Ohio.

To: Aurora, Ill.

Grounds for relief: Rail competition, circuity and market competition.

Schedules filed containing proposed rates:

Line	Tariff	ICC No.
B&O RR	C-3B	3081
NYC & STL RR	2135	6139
NYC RR	382-B	1139
NYC RR	391-A	1240
PRR	3262	2765
P&LE	354-A	3482
SFA	833	1174
WMd		9019

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 55-1458; Filed, Feb. 18, 1955; 8:49 a. m.]

[4th Sec. Application 30255]

IRON AND STEEL BILLETS FROM STEELTON, KY., TO NEW BEDFORD, MASS.

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Billets, iron or steel, carloads.

From: Steelton, Ky

To: New Bedford, Mass.

Grounds for relief: Competition with water, or water-rail carriers, and competition with motor-water carriers.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1454, supp. 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 55-1459; Filed, Feb. 18, 1955; 8:50 a. m.]

[4th Sec. Application 30256]

NEWSPRINT PAPER AND GROUND WOOD PAPER FROM RED ROCK, ONTARIO, TO MICHIGAN, OHIO, AND WEST VIRGINIA

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to schedules listed below.

Commodities involved: Newsprint paper and ground wood paper, carloads.

From: Red Rock, Ontario.

To: Points in Michigan, Ohio, and West Virginia.

Grounds for relief: Rail competition, circuity, market competition, and additional origin.

Schedules filed containing proposed rates: Canadian National Railway I. C. C. No. E-501, supp. 10; Canadian Pacific Railway I. C. C. No. E-2597, supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 55-1460; Filed, Feb. 18, 1955; 8:50 a. m.]

[4th Sec. Application 30257]

SULPHATE OF POTASH FROM TEXAS AND OKLAHOMA TO SOUTHWESTERN, WESTERN TRUNK LINE, ILLINOIS AND GATEWAYS TERRITORIES

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Atchison, Topeka and Santa Fe Railway Company for itself and on behalf of carriers parties to schedule listed below.

Commodities involved: Potash, sulphate of, carloads.

From: Fort Worth and Machovec, Tex., and Tulsa, Okla.

To: Points in southwestern, western trunk line, Illinois, and gateways territories.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: Atchison, Topeka and Santa Fe Railway Company, I. C. C. 14789.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission,

in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1461; Filed, Feb. 18, 1955; 8:50 a. m.]

[4th Sec. Application 30258]

CLAY, KAOLIN OR PYROPHYLLITE, FROM SOUTHERN PRODUCING POINTS TO TRAVELERS REST, S. C., HOPKINSVILLE, KY., AND ALLOY, W VA.

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent for carriers parties to schedule listed below.

Commodities involved: Clay kaolin or pyrophyllite, carloads.

From: Specified points in Alabama, Florida, Georgia, North Carolina, and South Carolina.

To: Travelers Rest, S. C., Hopkinsville, Ky., and Alloy, W Va.

Grounds for relief: Rail competition, circuity and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1323, supp. 70.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 55-1462; Filed, Feb. 18, 1955; 8:50 a. m.]

[4th Sec. Application 30259]

FULLER'S EARTH FROM FACEVILLE, GA., TO THE SOUTH

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Clay viz.. fuller's earth, carloads.

From. Faceville, Ga.

To: Points in southern territory

Grounds for relief: Rail competition, circuity, market competition, to apply rates constructed on the basis of the short line distance formula, and additional origin. Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1323, supp. 70.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1463; Filed, Feb. 18, 1955; 8:51 a. m.]

[4th Sec. Application 30261]

COAL FROM KENTUCKY AND VIRGINIA TO SOUTH GREENWOOD, S. C.

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to Carolina, Clinchfield and Ohio Railway tariff, I. C. C. No. 205.

Commodities involved: Coal, carloads.

From. Mines in eastern Kentucky and southwest Virginia.

To: South Greenwood, S. C.

Grounds for relief. Rail competition, circuity market competition and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1465; Filed, Feb. 18, 1955; 8:51 a. m.]

[4th Sec. Application 30260]

LOGS FROM FRANKLIN, EMPORIA AND LA CROSSE, VA., TO JEFFERSONVILLE AND NEW ALBANY, IND.

APPLICATION FOR RELIEF

FEBRUARY 16, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Logs, native wood, carloads.

From: Franklin, Emporia, and La Crosse, Va.

To: Jeffersonville and New Albany, Ind.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1297, supp. 72.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F R. Doc. 55-1464; Filed, Feb. 18, 1955; 8:51 a. m.]

[No. 31731]

ILLINOIS AND INDIANA INTRASTATE COAL RATES TO CHICAGO DISTRICT

INVESTIGATION AND HEARING

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 8th day of February A. D. 1955.

In a petition, dated December 29, 1954, filed with the Commission on January 3, 1955, The Baltimore and Ohio Railroad Company and other common carriers by railroad operating to, from, and between points in the State of Illinois, or Indiana, or both, aver that reduced intrastate rates on bituminous fine coal moving by common carriers by railroad from origins in Illinois and Indiana to points in the Chicago Switching District in Illinois and Indiana, which became effective December 14, 1954, under authority of the Illinois Commerce Commission and the Public Service Commission of Indiana, respectively, are unlawful in violation of sections 3 and 13, of the Interstate Commerce Act, as more particularly set forth in the petition. The petitioners request this Commission to prescribe rates on the above-described traffic to remove such alleged unlawfulness.

In I. & S. No. 6300, Fine Coal—Midwestern Mines to Chicago, the Commission has entered upon an investigation into the lawfulness of related reduced interstate rates on bituminous fine coal from mines in Illinois, Indiana, and western Kentucky to points in said District.

Upon consideration of the petition, the reply thereto by the Chicago, Burlington and Quincy Railroad Company and the matters under investigation in I. & S. No. 6300, and for good cause appearing:

It is ordered, That the petition be, and it is hereby, received and docketed under the above numbered and titled proceeding, that an investigation be, and it is hereby instituted in such proceeding with respect to the lawfulness of the said intrastate rates in the States of Illinois and Indiana to determine whether they are in violation of the Interstate Commerce Act, as more particularly set forth in the petition, and that the proceeding be assigned for hearing with I. & S. No. 6300 at 10:00 o'clock a. m., U. S. s. t., March 28, 1955, at the rooms of the Illinois Commerce Commission, 160 North LaSalle Street, Chicago, Ill., before Examiner Burton Fuller.

It is further ordered, That all common carriers by railroad parties to the interstate and intrastate rates on bituminous fine coal from mines in Illinois, Indiana, and western Kentucky to points in the said district, be, and they are hereby, made respondents in this proceeding.

It is further ordered, That copies of this order be served on respondents; that the States of Illinois and Indiana be formally notified of this proceeding by sending copies of this order and of the said petition by registered mail to the Governors of said States, to the Illinois Commerce Commission at Chicago, Ill., and the Public Service Commission of Indiana, Indianapolis, Indiana, and that the general public be notified by posting a copy of this order in the office of the Secretary of this Commission, and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.

By the Commission, Division 1.

[SEAL] GEORGE W LAIRD,
Secretary.

[F R. Doc. 55-1466; Filed, Feb. 18, 1955; 8:51 a. m.]

SUBVERSIVE ACTIVITIES CONTROL BOARD

[Docket No. 102-53]

LABOR YOUTH LEAGUE

REGISTRATION AS COMMUNIST-FRONT ORGANIZATION

Herbert Brownell, Jr., Attorney General of the United States, Petitioner, v. Labor Youth League, Respondent.

Pursuant to section 13 (g) of the Subversive Activities Control Act of 1950 (Title I of the Internal Security Act of 1950, 64 Stat. 987, et seq.) the Board on February 15, 1955, issued and caused to be served on the parties of record, an order reading as follows:

The Board having this day issued its Report in which, after hearing upon a petition filed under subsection (a) of section 13 of the Subversive Activities Control Act of 1950, the Board finds and determines that the Labor Youth League, respondent herein, is a Communist-front organization under the provisions of the said act;

It is ordered, That the said respondent, Labor Youth League, shall register as a Communist-front organization under and pursuant to section 7 of the Subversive Activities Control Act of 1950. A copy of this order shall forthwith be served on the Labor Youth League.

By the Board.

(Signed) Thomas J. Herbert, *Chairman,* (Signed) Harry P Cain, *Member* (Signed) David J. Coddaire, *Member* (Signed) Kathryn McHale, *Member* (Signed) Watson B. Miller, *Member.*

Washington, D. C., February 15, 1955.

[SEAL] THOMAS J. HERBERT,
Chairman.

FEBRUARY 16, 1955.

[F R. Doc. 55-1502; Filed, Feb. 18, 1955; 10:06 a. m.]